

IN THE CLAIMS:

Please cancel claims 6, 7, 10-17 and 24-26 without prejudice, amend claims 1, 8, 18 and 22 and add new claims 27-31 so that the claims read as follows:

1. (Currently Amended) An absorbent article comprising:

a body chassis comprising a body panel and an extension fold folded over at least a first portion of said body panel, said extension fold and said first portion defining a folded edge along a waist edge of said body chassis, said extension fold extending longitudinally from said folded edge in an overlying relationship with said first portion of said body panel, said extension fold having a body side surface and a garment side surface facing a body side surface of said first portion, and wherein said extension fold terminates in a free edge, wherein at least a portion of said free edge is not connected to said body panel such that said free edge of said extension fold and said first portion of said body panel form an opening therebetween, and wherein said body panel has at least a second portion with a body side surface extending longitudinally from said free edge of said extension fold such that said body side surface of said second portion does not underlie said extension fold;

an absorbent insert connected to said body panel; and

at least one garment closing fastener member connected to said body side surface of said extension fold and said body side surface of said second portion of said body panel, wherein said at least one garment closing fastener comprises at least one first garment closing fastener member connected to said body side surface of said extension fold and at least one second garment closing fastener member connected to said body side surface of said second portion of said body panel, wherein said at least one first garment closing fastener member is separate from said at least one second garment closing fastener member.

2. (Original) The absorbent article of claim 1 wherein said extension fold is foldable between at least a first configuration and a second configuration, wherein

said extension fold has a first length in said first configuration and said extension fold has a second length in said second configuration, wherein said second length is greater than said first length.

3. (Original) The absorbent article of claim 1 wherein at least a portion of said garment side surface of said extension fold is secured to said first portion of said body panel.

4. (Original) The absorbent article of claim 3 wherein said at least said portion of said garment side surface of said extension fold is releasably secured to said first portion of said body panel.

5. (Original) The absorbent article of claim 3 wherein said at least said portion of said garment side surface of said extension fold is secured to said first portion of said body panel with an adhesive.

Claims 6 and 7 (Cancelled).

8. (Currently Amended) The absorbent article of claim [7] 1 wherein said second garment closing fastener member extends under said extension fold and connects a garment side surface of said extension fold and a body side surface of said first portion of said body panel, wherein said second garment closing fastener comprises a extension fold fastening portion connecting said garment side surface of said extension fold and said body side surface of said first portion.

9. (Original) The absorbent article of claim 1 wherein said body panel comprises a rear body panel having a terminal crotch edge, and further comprising a front body panel having a terminal crotch edge spaced from said terminal crotch edge of said rear body panel, wherein said terminal crotch edges of said front and rear body panels form a gap therebetween, wherein said absorbent insert is connected to said front and rear body panels and bridges said gap.

Claims 10-17 (Cancelled).

18. (Currently Amended) An absorbent article comprising:

a body chassis comprising a body panel and an extension fold folded over at least a first portion of said body panel, said extension fold and said first portion defining a folded edge along a waist edge of said body chassis, said extension fold extending longitudinally from said folded edge in an overlying relationship with said first portion of said body panel, said extension fold having a body side surface and a garment side surface facing a body side surface of said first portion, and wherein said extension fold terminates in a free edge, wherein at least a portion of said free edge is not connected to said body panel such that said free edge of said extension fold and said first portion of said body panel form an opening therebetween, and wherein said body panel has at least a second portion with a body side surface extending longitudinally from said free edge of said extension fold such that said body side surface of said second portion does not underlie said extension fold;

wherein said extension fold comprises at least one elastic element and is gathered a first amount and said first portion of said body panel is gathered a second amount, wherein said first amount of gathering is greater than said second amount of gathering.

19. (Original) The absorbent article of claim 18 wherein said extension fold is retractable a first distance from a first position to a second position, and wherein said first portion is retractable a second distance from said first position to a third position, wherein said first distance is greater than said second distance.

20. (Original) The absorbent article of claim 19 wherein the difference between said first and second distances is between about 0.10 inches and about 6.00 inches.

21. (Original) The absorbent article of claim 20 wherein the difference between said first and second distances is between about 0.50 inches and about 5.00 inches.

22. (Currently Amended) An absorbent article comprising:
a body chassis comprising a body panel and an extension fold folded over at least a first portion of said body panel, said extension fold and said first portion defining a folded edge along a waist edge of said body chassis, said extension fold extending longitudinally from said folded edge in an overlying relationship with said first portion of said body panel, said extension fold having a body side surface and a garment side surface facing a body side surface of said first portion, and wherein said extension fold terminates in a free edge, wherein at least a portion of said free edge is not connected to said body panel such that said free edge of said extension fold and said first portion of said body panel form an opening therebetween, and wherein said body panel has at least a second portion with a body side surface extending longitudinally from said free edge of said extension fold such that said body side surface of said second portion does not underlie said extension fold;

wherein said extension fold is gathered a first amount and said first portion of said body panel is gathered a second amount, wherein said first amount of gathering is greater than said second amount of gathering; and

~~The absorbent article of claim 18~~ wherein said extension fold comprises a first number of elastic elements and said first portion comprises a second number of elastic elements, wherein said first number is greater than said second number.

23. (Original) The absorbent article of claim 18 wherein the difference between said first and second distances is between about 1% and 60% of an initial length of said extension fold and said first portion when in said first position.

Claims 24-26 (Cancelled).

27. (New) The absorbent article of claim 18 wherein said first portion of said body panel comprises at least one elastic element.

28. (New) The absorbent article of claim 18 further comprising an absorbent insert connected to said body panel, and at least one garment closing fastener member connected to said body side surface of said extension fold and said body side surface of said second portion of said body panel.

29. (New) The absorbent article of claim 28 wherein said at least one garment closing fastener comprises at least one first garment closing fastener member connected to said body side surface of said extension fold and at least one second garment closing fastener member connected to said body side surface of said second portion of said body panel, wherein said at least one first garment closing fastener member is separate from said at least one second garment closing fastener member.

30. (New) The absorbent article of claim 28 wherein said at least one garment closing fastener comprises a continuous element extending from said body side surface of said extension fold to said second portion of said body panel across said free edge of said extension fold.

31. (New) The absorbent article of claim 1 wherein each of said at least one first and second garment closing fasteners comprises one of a hook and loop fastening component.